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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission **72**

| | |
|----------------------|------------------------|
| Application Number | 10/643,881 |
| Filing Date | August 20, 2003 |
| First Named Inventor | Robert James Vimini |
| Art Unit | 1761 |
| Examiner Name | Adepeju Omolola Pearse |
| Attorney Docket No. | PDF-104US |

ENCLOSURES (Check all that apply)

| | | |
|---|--|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard, 11 references |
|---|--|--|

Remarks:**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

| | | | |
|--------------|--------------------|------------------|--------|
| Firm Name | RatnerPrestia | | |
| Signature | | | |
| Printed Name | Christian M. Bauer | | |
| Date | February 24, 2006 | Registration No. | 51,443 |

CERTIFICATE OF TRANSMISSION / MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

| | |
|-----------------------|-------------------|
| Signature | |
| Typed or Printed Name | Anne Pinto |
| Date | February 24, 2006 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, ALEXANDRIA, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Effective on 12/08/04.

Pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

Complete if Known

| | |
|----------------------|------------------------|
| Application Number | 10/643,881 |
| Filing Date | August 20, 2003 |
| First Named Inventor | Robert James Vimini |
| Examiner Name | Adepeju Omolola Pearse |
| Art Unit | 1761 |

TOTAL AMOUNT OF PAYMENT (\$ 180

Attorney Docket No. PDF-104US

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: 18-0350 Deposit Account Name: RatnerPrestia

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

| | |
|--|---|
| <input type="checkbox"/> Charge fee(s) indicated below | <input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee |
| <input checked="" type="checkbox"/> Charge any additional fee(s) or underpayment of fee(s) under 37 CFR 1.16 and 1.17 | <input checked="" type="checkbox"/> Credit any overpayments |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

| <u>Application Type</u> | <u>FILING FEES</u> | | <u>SEARCH FEES</u> | | <u>EXAMINATION FEES</u> | | <u>Fees Paid (\$)</u> |
|-------------------------|---------------------|-----------------|---------------------|-----------------|-------------------------|-----------------|-----------------------|
| | <u>Small Entity</u> | <u>Fee (\$)</u> | <u>Small Entity</u> | <u>Fee (\$)</u> | <u>Small Entity</u> | <u>Fee (\$)</u> | |
| Utility | 300 | 150 | 500 | 250 | 200 | 100 | — |
| Design | 200 | 100 | 100 | 50 | 130 | 65 | — |
| Plant | 200 | 100 | 300 | 150 | 160 | 80 | — |
| Reissue | 300 | 150 | 500 | 250 | 600 | 300 | — |
| Provisional | 200 | 100 | 0 | 0 | 0 | 0 | — |

2. EXCESS CLAIM FEESFee Description

Each claim over 20 (including Reissues)

| <u>Small Entity</u> | |
|---------------------|-----------------|
| <u>Fee (\$)</u> | <u>Fee (\$)</u> |
| 50 | 25 |
| 200 | 100 |
| 360 | 180 |

Each independent claim over 3 (including Reissues)

Multiple dependent claims

| <u>Total Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> | <u>Multiple Dependent Claims</u> |
|---------------------|---------------------|-----------------|----------------------|--------------------------------------|
| - 20 or HP = | x | = | | <u>Fee (\$)</u> <u>Fee Paid (\$)</u> |

HP = highest number of total claims paid for, if greater than 20

| <u>Indep. Claims</u> | <u>Extra Claims</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|----------------------|---------------------|-----------------|----------------------|
| - 3 or HP = | x | = | |

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

| <u>Total Sheets</u> | <u>Extra Sheets</u> | <u>Number of each additional 50 or fraction thereof</u> | <u>Fee (\$)</u> | <u>Fee Paid (\$)</u> |
|---------------------|---------------------|---|-----------------|----------------------|
| - 100 = | / 50 = | (round up to a whole number) x | = | |

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Information Disclosure StatementFees Paid (\$)180

| SUBMITTED BY | | | | | |
|-------------------------------|---------------------------|----------------------------------|--------|-----------|-------------------|
| <i>Complete if applicable</i> | | | | | |
| Signature | <u>Christian M. Bauer</u> | Registration No. Attorney/Agent) | 51,443 | Telephone | (610) 407-0700 |
| Name (Print/Type) | Christian M. Bauer | | | Date | February 24, 2006 |

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appn. No: 10/643,881
Applicant: Robert James Vimini et al.
Filed: August 20, 2003
Title: PACKAGING AND COOKING BAG AND METHOD FOR PACKAGING AND
PREPARING A MEAT PRODUCT
TC/A.U.: 1761
Examiner: Adepeju Omolola Pearse

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. §§ 1.97 and 1.98 and to the duty of disclosure set forth in 37 C.F.R. § 1.56, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on the PTO/SB/08a and PTO/SB/08b forms submitted herewith. A copy of the references listed on the PTO/SB/08a and PTO/SB/08b forms, other than U.S. patents, is enclosed. More particularly, the best available copy of those non-patent literature cited on sheet 3 is provided. These non-patent literature references were cited in an information disclosure statement in U.S. patent application published 2005/0118315 to Leich et al. (also cited in this IDS). One such reference, the Reynold's Oven Bag, was described in Berrier et al.

Although the information submitted herewith may be "material" to the Examiner's consideration of the subject application, this submission is not intended to constitute an admission that such information is "prior art" as to the claimed invention.

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

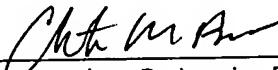
02/28/2006 NNGUYEN1 00000010 10643881

01 FC:1806

180.00 OP

More than three months have elapsed since the filing of the above-referenced application and a first (non-Final) Official Action has been received. No Final Action or Notice of Allowance has yet been received and it is presumed that none has yet been mailed. Accordingly, the required fee set forth in 37 C.F.R. § 1.17(p) is provided herewith.

Respectfully submitted,


Christopher R. Lewis, Reg. No. 36,201
Christian M. Bauer, Reg. No. 51,443
Attorneys for Applicants

CMB/ap

Enclosures: PTO/SB/08a and PTO/SB/08b
(11) References
Transmittal Form
Fee Transmittal and Check (\$180)Credit Card Payment (2038)

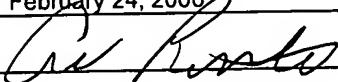
Dated: February 24, 2006

| |
|--|
| <input checked="" type="checkbox"/> P.O. Box 980 Valley Forge, PA 19482 (610) 407-0700 |
| <input type="checkbox"/> P.O. Box 1596 Wilmington, DE 19899 (302) 778-2500 |

The Director is hereby authorized to charge or credit Deposit Account No. 18-0350 for any additional fees, or any underpayment or credit for overpayment in connection herewith.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

February 24, 2006





INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 1 of 3

Complete if Known

| | |
|----------------------|-------------------------|
| Application Number | 10/643,881 |
| Filing Date | Aug. 20, 2003 |
| First Named Inventor | Robert James Vimini |
| Art Unit | 1761 |
| Examiner Name | Pearse, Adepeju Omolola |

Attorney Docket No. PDF-104US

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number Number - Kind Code ² (if known) | Publication Date (MM-DD-YYYY) | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|---|----------------------------------|--|---|
| | | US-2,779,681 | Jan. 29, 1957 | Sell et al. | |
| | | US-2003/0017235 | Jan. 23, 2003 | Wright | |
| | | US-2005/0118315 | Jun. 2, 2005 | Leich et al. | |
| | | US-2005/0153025 | Jul. 14, 2005 | Hopkins | |
| | | US-3,454,211 | Jan. 2, 1968 | K.C. Hoffman | |
| | | US-3,578,239 | May 11, 1971 | Perlman | |
| | | US-3,607,312 | Sep. 21, 1971 | Charles Ambrosia Ready | |
| | | US-3,716,369 | Feb. 13, 1973 | Perlman | |
| | | US-3,730,076 | May 1, 1973 | Levin | |
| | | US-3,762,986 | Oct. 2, 1973 | Bhuta et al. | |
| | | US-3,864,503 | Feb. 4, 1975 | Steenolsen | |
| | | US-3,995,084 | Nov. 30, 1976 | Bhuta et al. | |
| | | US-4,352,263 | Oct. 5, 1982 | Andrews, Jr. | |
| | | US-4,647,483 | Mar. 3, 1987 | Tse et al. | |
| | | US-4,665,135 | May 12, 1987 | Tse et al. | |
| | | US-4,820,536 | Apr. 11, 1989 | Lippincott et al. | |
| | | US-4,877,684 | Oct. 31, 1989 | Shepard et al. | |
| | | US-4,925,687 | May 15, 1990 | Gray et al. | |
| | | US-5,120,553 | Jun. 9, 1992 | Kupcikievicius | |
| | | US-5,287,559 | Oct. 27, 1998 | Powell | |
| | | US-5,344,679 | Sep. 6, 1994 | Vicik | |
| | | US-5,402,520 | Mar. 28, 1995 | Skaar et al. | |
| | | US-5,491,009 | Feb. 13, 1996 | Bekele | |
| | | US-5,846,620 | Dec. 8, 1998 | Compton | |
| | | US-6,183,789 | Feb. 6, 2001 | Nilsson et al. | |

| | |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).

²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

⁶Applicant is to place a check mark here if English language translation is attached.

The collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 2 of 3

Complete If Known

| | |
|----------------------|-------------------------|
| Application Number | 10/643,881 |
| Filing Date | Aug. 20, 2003 |
| First Named Inventor | Robert James Vimini |
| Art Unit | 1761 |
| Examiner Name | Pearse, Adepeju Omolola |

Attorney Docket No. PDF-104US

U.S. PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Document Number Number - Kind Code ² (if known) | Publication Date (MM-DD-YYYY) | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear |
|--------------------|-----------------------|---|----------------------------------|--|---|
| | | US-6,203,750 | Mar. 20, 2001 | Ahlgren et al. | |
| | | US-6,290,998 | Sep. 18, 2001 | Layton et al. | |
| | | US-6,416,832 | July 6, 2002 | Uehara et al. | |
| | | US-6,455,084 | Sept. 24, 2002 | Johns | |
| | | US-6,486,455 | Nov. 26, 2002 | Merabet | |
| | | US-6,488,873 | Dec. 3, 2002 | Wright | |
| | | US-6,627,324 | Sept. 30, 2003 | Eggers et al. | |
| | | US-6,667,082 | Jul. 19, 2001 | Barnore et al. | |
| | | US-6,682,792 | Jan. 30, 2003 | Schmal et al. | |
| | | US-6,847,022 | Aug. 5, 2004 | Hopkins, Sr. | |
| | | US-6,896,919 | May 24, 2005 | Wright | |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Foreign Patent Document Country Code ³ - Number ⁴ - Kind Code ⁵ (if known) | Publication Date (MM-DD-YYYY) | Name of Patentee or Applicant of Cited Document | Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear | T ⁶ |
|--------------------|-----------------------|--|----------------------------------|---|--|--------------------------|
| | | WO 98/06574 | Feb. 19, 1998 | Ramesh et al. | | <input type="checkbox"/> |
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| Examiner Signature | Date Considered |
|--------------------|-----------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

¹Applicant's unique citation designation number (optional).

²See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04.

³Enter Office that issued the document, by the two-letter code (WIPO Standard St.3).

⁴For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible.

⁶Applicant is to place a check mark here if English language translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

SHEET 3 of 3

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| Application Number | 10/643,881 |
| Filing Date | Aug. 20, 2003 |
| First Named Inventor | Robert James Vimini |
| Art Unit | 1761 |
| Examiner Name | Pearse, Adepeju Omolola |
| Attorney Docket No. | PDF-104US |

NON-PATENT LITERATURE DOCUMENTS

| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published | T ² |
|--------------------|-----------------------|--|--------------------------|
| | 1A | JENNIE-O-FOODS, INC., Willmar, MN, product label for Turkey Breast Roast, on sale approximately 1984. | <input type="checkbox"/> |
| | 1B | JENNIE-O-FOODS, INC., Willmar, MN, photo of packaged Turkey Breast Roast, on sale approximately 1984. | <input type="checkbox"/> |
| | 1C | JENNIE-O-FOODS, INC., Willmar, MN, photo of Turkey Breast Roast in an unsealed oven ready bag, on sale approximately 1984. | <input type="checkbox"/> |
| | 1D | JENNIE-O-FOODS, INC., Willmar, MN, photo of cooked Turkey Breast Roast in the unsealed oven ready bag, on sale approximately 1984. | <input type="checkbox"/> |
| | 1E | JENNIE-O-FOODS, INC., Willmar, MN, photo of cooked Turkey Breast Roast with the unsealed oven ready bag partially peeled away from the roast, on sale approximately 1984. | <input type="checkbox"/> |
| | 2A | MBA Poultry, Tecumseh, NE, product packaging for QUICK CHICK, on sale approximately 2001, 5 pages. | <input type="checkbox"/> |
| | 3A | REYNOLDS CONSUMER PRODUCTS, a business of Alcoa, Inc., Pittsburg, PA, web page for REYNOLDS® Oven Bags, General Information , 2 pages (2002). | <input type="checkbox"/> |
| | 3B | REYNOLDS CONSUMER PRODUCTS, a business of Alcoa, Inc., Pittsburg, PA, web page for REYNOLDS® Oven Bags, How to Use, 2 pages (2002). | <input type="checkbox"/> |
| | 4A | CAROLINA TURKEY, MT. Olive, NC, web page for Roast-In-Its-Own-Bag product line, 1 page (2002). | <input type="checkbox"/> |
| | 4B | CAROLINA TURKEY, MT. Olive, NC, web page for product codes and descriptions, 1 page (2002). | <input type="checkbox"/> |
| | | | <input type="checkbox"/> |

| | |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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